

Serial No.: 10/726,013
Docket No. 03043-1
FUS.064

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OCT 15 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Koji UTSUGI, et al.

Serial No.: 10/726,013

Group Art Unit: 1745

Filing Date: December 3, 2003

Examiner: Laura Weiner

For: **ELECTROLYTE FOR SECONDARY BATTERY AND SECONDARY
BATTERY USING SAME**

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

RESPONSE UNDER 37 CFR 1.111

Sir:

In response to the Office Action dated June 14, 2007, Applicant states as follows:

REMARKS

A Petition and Fee for One Month Extension of Time is submitted herewith.

Claims 1-23 are all the claims presently pending in the application.

Claims 1-23 stand rejected under 35 U.S.C. § 102(c) as being allegedly unpatentable over Utsugi et al. (U. S. Patent 7,163,768).

Claims 1-23 stand rejected on the ground of obviousness-type double patenting as being allegedly unpatentable over claims 1-28 of Utsugi et al. (U. S. Patent 7,163,768).

Applicant respectfully submits that Utsugi does not teach or suggest each and every element of the claimed invention. However, in the interest of expediting prosecution, Applicant would point out that the inventors herein invented the claimed invention of the present